

FLAW IN TAX LAW, CRAWFORD SAYS

Gross Earnings Clause Made Void by Creation of Tax Commission.

PUTS TAX ON FRANCHISES

Commissioner Galloway Believes It Possible to Consider Franchise Without Placing Value on Same.

SALEM, Or., March 13.—(Special.)—That the law creating a State Tax Commission, passed by the last session of the Legislature, repeals the gross earnings law of 1907, is the contention of Attorney-General Crawford and a majority of the other attorneys who have examined the new statute.

The apparent conflicting provisions were first discovered by Attorney Winslow, who has been engaged with Speaker McArthur in an inspection of the work of the last Legislature, in anticipation of corrective legislation by the special session. Winslow passed the matter up to the Attorney-General, who is emphatic in the statement that the measure is in conflict. Section 9 of the new law provides that the Board of Tax Commissioners may personally inspect the property belonging to corporations and may take into consideration "the reports, statements or returns of said companies filed in the office of any board, officer or committee of this state or any county thereof of the earning power of said companies, the franchises and special franchises owned or used by said companies, (said franchises and special franchises not to be directly assessed, but to be taken into consideration in determining the value of the other property)" etc.

Attorney-General Crawford said: "How are you going to take a franchise into consideration without considering its value? And if you determine its value, and add that value to the value of the property for the purpose of arriving at an equitable basis for assessment purposes, you are requiring the corporation to pay taxes on the franchise, which is in conflict with the gross earnings tax of 1907, and practically nullifies the former statute."

Tax Commissioner Charles V. Galloway believes that it is possible to consider a franchise without placing a value on it, and in the opinion that the laws do not conflict.

STILL LIABLE TO TRIAL

Grand Jury Will Probe Freight-Stealing Charges at Pendleton.

PENDLETON, Or., March 13.—(Special.)—Through Frank J. Bly and William Edwards, who are suing several thousand dollars worth of merchandise from the O. R. & N. freight depot, are free men tonight, as a result of the ruling of the grand jury. The grand jury, this morning, they are not immune from trial.

District Attorney Phelps announced this afternoon that he would bring charges against them before the grand jury, and if indicted they will be compelled to stand trial.

In sustaining the motion of the attorneys for the defense to dismiss the charges against the defendants, Justice of the Peace Parkes held that the state had failed to corroborate the story of Dickens, who confessed to thievery, and who declared the other two men were equally guilty. Dickens has not been promised immunity for confessing, and will be compelled to face the charges against him in court.

GRAND JURY ENDS WORK

Total of 41 Indictments Returned at Colfax.

COLFAX, Wash., March 13.—The Whitman County grand jury closed a two weeks' session at Colfax today. A total of 41 indictments were returned. Several arrests have been made. Charles R. and Walter Williams, of Texas City, pleaded guilty to selling liquor without a license. Each was fined \$150 and costs. George Jagerston, of Lamont, was fined \$25 and costs on the same charge. Many of the arrests so far have been saloon-keepers and gamblers. The indictment cases will be heard in the Superior Court commencing Thursday.

POOR, HE RECEIVES \$20,000

A. Horton, of Tacoma, Gets Letter Which Brings Tears to His Eyes.

TACOMA, Wash., March 13.—(Special.)—After draining the cup of poverty to the dregs and being forced to accept a position as hostler in a South Tacoma livery stable that he might earn a bare living for his sick wife and four children, A. Horton, a recent arrival from the East, today received the news that his share of his sister's estate was \$22,000 in cash, which would be immediately sent to him.

Tears came to Horton's eyes when he received the news, and he said in a shaking voice: "Thank God, the kiddies and wife can now have even the bare necessities," and he hurried home to tell the good news to his family.

RATES CUT, COMPANY SAYS

Pacific Express Files Statement With Commission.

SALEM, Or., March 13.—(Special.)—In reply to a question at the recent hearing of the case of R. F. Jones vs. the Pacific Express Company, the attorney for the company admitted that there had been practically no change in the general merchandise schedules of the company on interstate business in the past 20 years.

Today the company submitted to the

Railroad Commission three statements dealing with its rates. One of these shows that the rates from Oregon points to Chicago and Missouri River points have been reduced in that time 29 to 33 per cent. According to the Railroad Commission aside from the creation of various special rates, which the company says operate as reductions, there has been but little reduction in general merchandise rates for a score of years.

A decision by the commission is expected in a short time.

OUT OF WORK, HE ENDS LIFE

H. C. Hennis, of Klamath Falls, Drinks Poison.

KLAMATH FALLS, Or., March 13.—(Special.)—H. C. Hennis, aged about 28, who formerly resided in Portland, committed suicide shortly after noon today by taking cyanide of potassium. Hennis had been employed intermittently as a chairman with surveying parties, but was unable to provide a home for his wife, the daughter of E. E. Jamison, of this city, to whom Hennis was married about a year ago.

His letter addressed to the county judge stated that he was not insane, but was without money and desired the county to take charge of his funeral expenses. He said that his wife was all he had to live for, and if he could not have her, life held no other object.

CROOK RANCHER IS SHOT

C. H. Erickson Wounded in Quarrel With Leonard Walters.

PRINEVILLE, Or., March 13.—(Special.)—Charles H. Erickson, a prominent Crook County rancher, was shot and painfully wounded today by Leonard Walters, on the Walters' ranch, 25 miles south of this city.

Erickson recently sold the farm to Walters, and the two men are known to have had considerable trouble for months. Mrs. Erickson arrived at the station today and gave the news of the shooting to the authorities. A Deputy Sheriff has started for the scene. Erickson's wounds are not regarded as serious, as his wife did not send for a surgeon.

POLICE CHIEF RICE OUT

Resigns Office to Manage Spokane National Apple Show.

SPOKANE, Wash., March 13.—(Special.)—Chief of Police Ren H. Rice tendered his resignation tonight to Mayor Moore to become manager of the Spokane National Apple Show and head of the financial committee for the National Irrigation Congress, which convenes in Spokane next August.

He will also have in charge the work of raising the publicity fund for the Chamber of Commerce annually.

Falls Beneath Moving Train.

EUGENE, Or., March 13.—(Special.)—Leonard Cartwright, son of Leo Cartwright, of Harrisburg, received severe injuries while trying to board a moving train at Henderson Junction this evening.

Cartwright had been visiting friends in Springfield and came across to Henderson Station to catch the local for Eugene, but soon after he arrived at the station a construction train came along, and hoping to get into Eugene earlier than waiting for the regular passenger train, tried to board a flat car, but slipped and fell. The wheels passed over both insteps, though the feet were not cut off. The bones were very badly crushed.

Vancouver Veteran Dies.

VANCOUVER, Wash., March 13.—(Special.)—John Piper, aged 78, died of Bright's disease this morning at the family home in this city. Funeral services will be held at the chapel tomorrow afternoon by the Ellsworth Post No. 2, G. A. R., of which he was a member. He is survived by a widow and one son.

Body Shipped to Forest Grove.

VANCOUVER, Wash., March 13.—(Special.)—Philip French, aged 59 years, died last night at his home four miles north of Camas. The body was brought to Vancouver and shipped to Forest Grove, Or. He had two brothers, Jacob and Prior French who live at Forest Grove.

REBATE TO BUILDERS.

See Rose City Park adv. Page 10, section 2.

ARLINGTON COUPLE CELEBRATES TWENTY-FIFTH WEDDING ANNIVERSARY.



MR. AND MRS. CLAY C. CLARK.

ARLINGTON, Or., March 13.—(Special.)—Mr. and Mrs. Clay C. Clark, of this place, celebrated their 25th wedding anniversary Tuesday night. The affair was one of the smart social functions of the season. Thirty couples were in attendance, and Mr. and Mrs. Clark were recipients of many presents. A banquet was served at the Hotel Grande.

Mr. and Mrs. Clark are among the earliest settlers of Northern Gilliam County, having come here in 1886. Mr. Clark engaged in stock raising and now owns about 1800 acres of land three miles west of Arlington, a part of which he farms and feeds all his products to stock, and is one of the largest producers as well as shippers of stock in this part of the country. Mr. and Mrs. Clark have five children—Lambert, Claud C., Francis, Lulu and Edith.

WOULD OUST MAYOR

Startling Charges Against Junction City Executive.

SPITEWORK, HUSTON SAYS

Declares Action Was Begun Because Court Order Was Enforced in Removing Fences From City's Streets.

JUNCTION CITY, Or., March 13.—Charging that Mayor C. T. Huston, of Junction City, is incompetent, inefficient, immoral and of bad reputation, local people have filed a petition to recall him and depose him from the office. The petition for a recall bears the signatures of 88 people of this city, and was presented to the Council Monday evening. It will be acted upon at a special meeting of the Council to be held next Monday evening, and at that time the date for the recall election will probably be fixed.

Words were not minced in the petition for a recall, and the charges set forth are startling and sensational in the extreme. They are as follows:

Charges Not Specific.

1. That he is incompetent and inefficient. That his moral character is such as to unfit him for the office of Mayor, and that his reputation for truth and veracity is bad.

2. That he exercises the office in an arbitrary manner without due regard for the rights of the people of Junction City.

3. That his actions have been heard here for some time with the Mayor's actions, the petition for a recall was a complete surprise to the Mayor and his friends when it was presented to the Council. It caused a sensation, and Huston broke down and cried.

The men who fathered the petition will assign no specific act as the cause of the recall, but aver that the executive is generally inefficient, and that his private and business life figure as strongly in the matter as his official actions.

Blackmail, Says Huston.

"It is blackmail and spitework. It is the result of the enforcement of some city laws and a decree of the Circuit Court to open up certain streets and alleys which Moorhead, the Lees, Pliny, Busbells and Towers and Postmaster Martin had fenced up. The land in question aggregates 50 or 60 acres, producing 20 to 40 bushels of wheat an acre. This wheat at \$1.25 a bushel meant money to the parties who had fenced up the land, but no revenue to the city. These men are not satisfied with breaking me up twice, but now seek to blackmail my character."

Several men are being mentioned as possible candidates against Huston in the recall election, but no nomination will be made until the date of the election is fixed.

Mayor Huston was elected in December, 1906, for a term of two years, and took office in January, 1907.

GILLIAM, STOCKMAN DEAD

W. J. Russell, Native of Ireland, Dies at Condon.

CONDON, Or., March 13.—(Special.)—William J. Russell, pioneer, and a well-known sheepman of this county, died here recently, aged 60. Mr. Russell was born in Belfast, Ireland, and came, when a child, with his parents to the United States, and finally settled in Ray County, Mo. From that state, with his father and two brothers, he joined the Union army and served throughout the war. His father and brother were all killed in action.

After the war, in connection with his brother-in-law, he became a contractor, working at this business in Missouri, Kansas, Texas, Colorado, Ne-

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OPPOSITE POSTOFFICE

braska and Idaho. In St. Louis, Mo., he had the contract for the first water system, and also the Custom-house at that place.

At Caldwell, Idaho, in 1882, he met and married Kate Summers, who survives him. In the Spring of 1884 he came to Gilliam County, first raising wheat and later going into the sheep business.

He was well known and highly esteemed throughout the county. He was raised an Episcopalian, but before his death became a member of the Catholic church. Beside the widow, four children survive—Mrs. Frank Maddock, Maggie, Edward and Lottie Russell, all of Condon.

LARGE MEETING AT SCIO

Grange Presents Extended Programme on Educational Topics.

ALBANY, Or., March 13.—(Special.)—The last and largest of a series of educational meetings which have been held in Linn County under the direction of County School Superintendent W. L. Jackson, and the Grange was held today at Scio. The leading addresses of the day were as follows: "The County High School," Professor L. R. Alderman, of the University of Oregon; "Education," Professor J. H. Ackerman, State Superintendent of Public Instruction; "Purpose and Work of the Grange," J. J. Johnson, of Portland, lecturer of the State Grange; "Recent School Legislation," M. A. Miller, of Lebanon, State Senator from Linn County.

INDIAN FIGHTER, AGED 76

Andrew J. Laws, of Vancouver, Will Celebrate Anniversary Today.

VANCOUVER, Wash., March 13.—(Special.)—Andrew J. Laws, one of the few surviving veterans of the Indian War of 1855-56, will on Sunday, celebrate the 53rd anniversary of his birthday. He is one of the pioneer residents of Clark County, and despite his years is still hale and hearty and was rejoicing over the fact that the State Legislature has passed a bill appropriating \$20,000 with which to pay the old Indian War veterans of 1855-56.

"I am glad," he said, "that the good old State of Washington has at last de-

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cided to pay the Indian War veterans. I know they are deserving, and if it was put off much longer they would all be dead."

Mr. Laws was born in an inn in Lawrence County, Illinois, in 1832. When he was 19 years old his father with a party of ten families started across the plains with ox teams and horses. After six months' travel they reached a point on the Columbia, 30 miles below Vancouver, where they camped and spent the Winter of 1852-53.

Mr. Laws makes his home with his daughter, Mrs. George Page, at Minnehaha, where there will be a special celebration in honor of his birthday.

REVIVAL DRAWS CROWDS

Vancouver Tabernacle, With 2000 Capacity, Filled Nightly.

VANCOUVER, Wash., March 13.—(Special.)—The special revival meetings being conducted in the big tabernacle by Evangelist Don Shannon, under the auspices of the Christian, Methodist Episcopal, Presbyterian and Baptist churches, are attracting a great deal of attention. Mr. Shannon is speaking to crowded houses every night and standing room is at a premium.

A chorus choir of 200 voices has been organized and is under the leadership of Harry M. Ross, who is Mr. Shannon's assistant. There is also an orchestra which assists the chorus. In addition, at each evening's service Mr. Ross sings a solo.

The tabernacle was erected specially for these meetings, and has a seating capacity of 2000, but as many people are compelled to stand up at the meetings, the tabernacle committee is considering the advisability of building an addition.

SALMON ON BRANCH ROAD

Oregon Short Line Will Extend Railway in Eastern Idaho.

SALMON, Idaho, March 13.—(Special.)—Announcement was made here today that the contract for the construction of the Pittsburg & Gilmore Railway

extending from Armstead, Mont., on the Oregon Short Line Railway to this place, has been awarded to McArthur Bros., of Portland.

Attorneys for the road have been instructed to close up all right-of-way contracts at once in order that construction work may commence as soon as possible. The road will be 120 miles long and will pass through rich agricultural and mining section of Idaho.

GRESHAM GRANGE OBJECTS

Delegates Asked to Vote for Reduction in Per Capita Tax.

GRESHAM, Or., March 13.—(Special.)—Delegates from the subordinate Granges of Multnomah County met here today and elected the following as representatives to the Oregon State Grange, which will meet at McMinnville in May: Regulars—Mrs. Jennie Krombholz, of Pleasant Valley Grange; J. W. Black and Ellen E. Black, of Woodlawn Grange; H. E. Davis and F. M. Davis, of Gresham Grange. Alternates—H. W. Sussall, Cedar Mill; J. S. Hyatt, Sarsal, Hyatt, V. E. Parsons and Mary Parsons.

The representatives were instructed to bring to the State Grange a resolution asking the National Grange to reduce the per capita tax one-half.

Grange Delegates Chosen.

HILLSBORO, Or., March 13.—(Special.)—The convention of Washington County Granges met in this city today and elected the following as delegates to attend the State Grange, which convenes at McMinnville, Tuesday, May 18: Regulars—Cedar Mill; J. H. Henry, Tualatin, and H. O. Hay of Sherwood. The alternates are Robert Thompson, Cedar Mill; Charles Geiborger, Tualatin, and Sol Weckert, Middleton. The meeting today was largely attended.

Cases Set in Supreme Court.

SALEM, Or., March 13.—(Special.)—The Supreme Court today set the following cases for hearing: March 23, Thomas vs. Gilbert and A.

Bush; March 24, E. B. Seabrook vs. Coos Bay Ice & Cold Storage Company; J. T. Meade vs. J. W. Beckler; March 25, Krebs Hop Company vs. T. A. Livestock & Co.; Louis Lachmund & Co. vs. Lops Sing et al.

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REBATE

ROSE CITY PARK

See Page 10, Sec. 3.

A TALK ON REAL ESTATE

Why People Should Buy Portland Real Estate—and Why They Should Buy It From Charles K. Henry & Son

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It has been noted during the past few months that Charles K. Henry & Son have made some of the heaviest sales of real estate that have ever been made in the City of Portland.

Business men, capitalists, investors and managers of estates throughout the United States realize that there is no investment so safe and certain as good inside property in a growing city, such as Portland is proving herself to be. The man with \$10,000, as well as the man with \$100,000 or larger sums to invest, cannot make a mistake in rightfully buying properties in the City of Portland. Any person who will pause, consider and reflect upon the fact that the Hill roads have built freight warehouses and are now building grain warehouses more than doubling the capacity of that heretofore supplied to the city—everyone must see that this portends increased business in the City of Portland. The cities that receive aid from the railroad companies grow very rapidly. We should cease ill-considered harping at the transportation companies, but enlist their good aid and offices in building up our city.

Charles K. Henry & Son, who deal exclusively in inside properties, have been in the business for 20 years in the City of Portland, dealing solely in inside property, not running a department store, not doing an abstract business or an insurance business, but we do sell real estate and sell the very best of real estate—Portland real estate, and selling only on the commission basis, whereby the owner of property knows that he is not being speculated upon, and the buyer of the property knows that the price quoted is the price of the owner, thereby insuring absolutely fair dealing, are fully qualified to give investors the very best aid and assistance in selecting bargains in Portland city property. They have sold many of the most prominent and largest properties in the city, and respectfully refer the investing public to any bank or business house in the City of Portland, and to their numerous clients.

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